

Water Department  
Administration  
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March 30, 2010

Ms Wendy Chueng  
United States Environmental Protection Agency  
Ground Water Protection Program, 8P-W-GW  
1595 Wynkoop Street  
Denver, CO 80202-1179

RE: Additional Comments from Aurora Water Concerning Deep-well Injection Permit Application for East Cherry Creek Valley Water and Sanitation District (ECCV)

Thank you for agreeing to extend the comment period for public comment on ECCV's permit application. The extension gave Aurora Water and others a chance to meet with ECCV to understand their application in more detail. On March 23, 2010 representatives from Aurora Water and Denver Water met with ECCV Project Manager Kip Scott and ECCV's consultant Pat O'Brien from Hydrokinetics to discuss the comments submitted by Aurora Water on March 5, 2010.

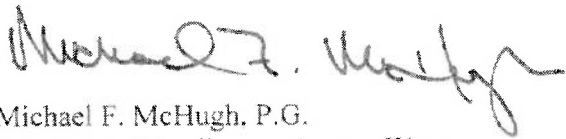
Mr. Scott and Mr. O'Brien shared the letter dated March 19, 2010 with Wendy Chueng responding to our comments. Aurora Water's incidental comments and questions were addressed in that letter and at our meeting. Aurora Water's principle concerns are 1) the proposed receiving sedimentary formations may not be porous enough to accept the injected waste; and 2) there is not a sufficient seismic baseline to evaluate any changes that may occur as a result of ECCV's actions. These concerns were not fully addressed in either the letter or at the March 23<sup>rd</sup> meeting. However, at the meeting, Denver Water and Aurora Water received assurances that in the event of any unforeseen seismic activity, ECCV would immediately curtail any injection activity. ECCV expressed concerns that Aurora and Denver were asking for additional permitting requirements not supported by law or regulation. On the contrary, Aurora Water only wants to make ECCV and EPA aware of our concerns on the record. We felt that in light of the lingering questions, ECCV would want to set an accurate baseline against which their activities could be measured.

As for the injection wells cited in ECCV's March 19<sup>th</sup> letter, many of the COGCC wells inject their wastes back into the formations that are producing the oil and gas to enhance recovery and are not injecting into the same formations that are proposed in ECCV's permit application. It is rare for oil and gas producers to inject waste into the intervals identified in the application because they are deeper than the oil and gas producing formations. It is also unclear to us whether the referenced Suckla Farms injection well is injecting waste into the same stratigraphic formations proposed in ECCV's application and is therefore a comparative operation.

Finally, Kip Scott and Pat O'Brien indicated at the March 23<sup>rd</sup> meeting that a second permit to inject waste would be required after the construction of the well was complete. In my conversation with you this morning (March 30, 2010), you indicated that this was not the case and that this was the only opportunity for Aurora Water to make public comment. At this time, please add these comments to the record.

Thank you again for extending the comment period.

Respectively Submitted,

A handwritten signature in dark ink, appearing to read "Michael F. McHugh". The signature is fluid and cursive, with the first name "Michael" being more legible than the last name "McHugh".

Michael F. McHugh, P.G.  
Permitting Coordinator, Aurora Water

Cc: Dave Kaunisto, East Cherry Creek Water and Sanitation District  
Kip Scott, East Cherry Creek Water and Sanitation District  
Pat O'Brien, Hydrokinetics  
Dave Bennett, Denver Water